

**2. REMARKS/ARGUMENTS**

**2.1 STATUS OF THE CLAIMS**

*Claims 8-10, 12, 14-19, 32-35, 39-40 and 44-53 were pending at the time of the Action.*

*Claims 8, 46, and 48 are amended herein.*

*Claims 8-10, 12, 14-19, 32-35, 39-40 and 44-53 remain pending in the application.*

**2.2 SUPPORT FOR THE CLAIMS**

Complete support for the language of all pending claims can be found throughout the specification and claims as originally filed, and it is Applicants' belief that no new matter is incorporated due to the accompanying amendment.

Should any fees be deemed necessary in connection with the entry of the amendment and consideration of the accompanying remarks/response, the Commissioner is hereby authorized to deduct any necessary amounts from Haynes and Boone Deposit Account No. 08-1934, Order No. 36677.29.

**2.3 THE REJECTION UNDER 35 U.S.C. § 112, 2<sup>ND</sup> PARAGRAPH, IS OVERCOME.**

*The Action at page 3 rejected claims 8-10, 14-19, 46, 48, and 50 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph, allegedly as being indefinite.*

*Claim 8 and its dependent claims were rejected allegedly as being indefinite for the recitation of method steps involving the preparation of compounds of general formula I, but not for the preparation of compounds of general formula II.*

Applicants respectfully traverse. In the interest of proceeding claims of particular relevance to issuance, to maximize patent term, and to avoid the financial consequences and time delays inherent with a protracted prosecution, however, Applicants have amended claim 8 by

deleting reference to compounds of general formula II. Applicants now believe that the Examiner's concerns have been fully addressed and that the claims are now free from rejection for the stated reasons. Applicants respectfully request therefore that the rejection of claim 8 and its dependent claims now be withdrawn.

***Claims 46 and 48 were also rejected allegedly as being indefinite because of a perceived lack of clarity of the term "ring contraction auxiliary" and because of the reference to "said cyclic peptidomimetic" in the last line of each claim.***

Applicants apologize for the inadvertent oversight, and have remedied the Examiner's previously stated concern in the accompanying amendment. Applicants believe that the Examiner's concerns have been fully addressed, and as such respectfully request that the rejection of claims 46 and 48 now be withdrawn.

## **2.4 CONCLUSION**

It is respectfully submitted that all claims are fully enabled by the Specification, and that all claims are definite and free of the prior art. Applicants believe that the claims are acceptable under all sections of the Statutes and are now in condition for ready allowance, and that all of the concerns of the Examiner have been resolved. Applicants earnestly solicit concurrence by the Examiner and the issuance of a Notice of Allowance in the case with all due speed.

Applicants also note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should Examiner Kam have any questions, or should any issues remain outstanding, a telephone call to the Applicants' undersigned representative would be sincerely appreciated.

Respectfully submitted,

January 14, 2009

Date



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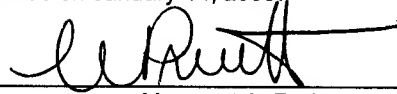
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Margaret A. Pruitt